

1 MICHAEL F. BOHN, ESQ.
2 Nevada Bar No.: 1641
2 mbohn@bohnlawfirm.com
LAW OFFICES OF
3 MICHAEL F. BOHN, ESQ., LTD.
3 376 East Warm Springs Road, Ste. 140
4 Las Vegas, Nevada 89119
4 (702) 642-3113/ (702) 642-9766 FAX
5
5 Attorney for plaintiff
6

7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

9 SATICOY BAY, LLC SERIES 1702 EMPIRE
10 MINE

CASE NO.: 2:14-CV-01975

11 Plaintiff,

12 vs.

13 FEDERAL NATIONAL MORTGAGE
14 ASSOCIATION; and CLEAR RECON CORP.

Defendants

15 **RESPONSE TO SUPPLEMENTAL REQUEST FOR JUDICIAL NOTICE**

16 Saticoy Bay, LLC Series 1702 Empire Mine, by and through it's attorney, Michael F. Bohn, Esq.
17 responds to the supplemental request for judicial notice, document number 99. This response is based
18 on the affidavit of Iyad Haddad.
19

20 DATED this 2nd day of June, 2015.

21 LAW OFFICES OF
MICHAEL F. BOHN, ESQ., LTD.

22 By: /Michael F. Bohn,/
23 MICHAEL F. BOHN, ESQ.
23 376 East Warm Springs Road, Ste. 140
24 Las Vegas, NV 89119
24 Attorney for plaintiff

AFFIDAVIT OF IYAD HADDAD

2 STATE OF NEVADA)
3 COUNTY OF CLARK) ss:

IYAD HADDAD being first duly sworn, deposes and says;

5 1. Affiant is the managing member of Resources Group, LLC, the trustee of Bay Harbor Trust,
6 the manager of Saticoy Bay LLC.

7 2. I am making this affidavit in response to Fannie Mae and FHFA's supplemental request for
8 judicial notice in support of the motion for summary judgment.

9 3. Saticoy Bay LLC Series 1702 Empire Mine is the owner of the property located at 1702 Empire
10 Mine, Henderson, Nevada.

11 4. Saticoy Bay LLC Series 1702 Empire Mine acquired the property by foreclosure sale
12 conducted on August 29, 2014. The HOA which conducted the foreclosure sale is called the Bluffs.
13 Nevada Association Services was the foreclosure agent on the sale.

14 5. The property is encumbered by two sets of CC&R's. The secondary HOA on the property is
15 called The Village 2. The foreclosure agent for The Village 2 is Red Rock Financial Services

16 6. The notice of foreclosure sale dated August 1, 2014 indicates that the total lien due to the
17 Bluffs was \$5,130.24.

18 7. Saticoy Bay LLC purchased the property on Empire Mine for \$83,589.00, and there are
19 substantial excess proceeds available to pay the secondary HOA

20 8. Once I acquired this property, as I do with every property I acquire, I immediately contact all
21 the applicable HOA's and open a new account. I pay any account set up fee and I pay six months of HOA
22 dues in advance.

23 9. The sums sought by the secondary HOA are for assessments which became due prior to the time
24 Saticoy Bay LLC acquired the property.

25 10. I am in a dispute with the secondary HOA, which is unlawfully seeking dues going back to
26 January, 2011.

27 11. I have been advised that an interpleader action has been filed regarding the excess proceeds

1 and that The Village 2 is a named defendant entitled to receive a portion of the excess proceeds to satisfy
2 its lien.

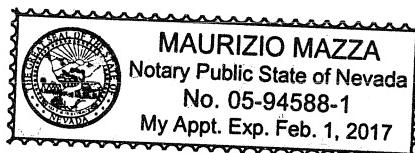
3 12. When and if it is determined that Saticoy Bay LLC is responsible for any part of the sums
4 claimed by the lien, Saticoy Bay LLC will pay that obligation, like it does with all of its obligations.

5 | 13. If called upon to testify to the above facts, affiant could do so competently.

IYAD HADDAD

9 SUBSCRIBED and SWORN to before me
this 2nd day of June, 2015.

2 NOTARY PUBLIC in and for said
County and State



CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of June, 2015, I electronically transmitted the above **RESPONSE TO SUPPLEMENTAL REQUEST FOR JUDICIAL NOTICE** to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel being registered to receive Electronic Filing.

6 Krista J. Nielson, Esq.
7 Pite Duncan, LLP
8 520 S. 4th Street, Ste. 360
Las Vegas, NV 89101

Asim Varma, Esq.
Howard N. Cayne, Esq.
Michael A.F. Johnson, Esq.
Arnold & Porter LLP
555 12TH Street NW
Washington, DC 20004

Leslie Bryan Hart, Esq.
John D. Tennert, Esq.
Fennemore Craig, P.C.
300 E. Second St. #1510
Reno, NV 89501

/s / Marc Sameroff /
An Employee of the LAW OFFICES OF
MICHAEL F. BOHN, ESQ., LTD.